

District Judge Marsha J. Pechman

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEEP OCEAN, LLC;
FENGLING WANG,

Plaintiffs,

V.

KATHY BARAN, *et al.*,

Defendants.

CASE NO. 18-cv-00991-MJP
JOINT STIPULATION AND
ORDER HOLDING CASE IN
ABEYANCE

Noted for Consideration on:
August 31, 2018

JOINT STIPULATION

The parties submit the following stipulation and proposed order to (1) agree that the case is exempt from the requirements of Federal Rule of Civil Procedure (“FRCP”) 26(a) and 26(f), and (2) agree and request that this case be stayed pending the reopening of Plaintiff’s administrative case by U.S. Citizenship and Immigration Services (“USCIS”).

The parties agree that Plaintiff's action is brought pursuant to the Administrative Procedures Act ("APA"), 5 U.S.C. § 702, *et seq.* The parties agree that Plaintiff's case is "an action for review on an administrative record," falling under a category of cases in FRCP 26(a)(1)(E)(i) that are exempt from the requirements set forth in FRCP 26(a) and

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2 (f) pertaining to the “lay down” of discovery, the participation of the parties in a
3 discovery conference, and the presentation of a joint discovery plan. The parties
4 respectfully request that the Court relieve them from the July 31, 2018 Order Regarding
5 Initial Disclosures and Joint Status Report (Dkt. 7).

6 The parties further agree that USCIS will reopen Plaintiff’s administrative case
7 concerning his 2018 Petition for Nonimmigrant Worker (Form I-129) requesting an
8 extension of his L-1A visa. During this reopening, Plaintiff will be able to provide
9 additional information/documentation to USCIS in support of his petition.

10 Finally, the parties agree and respectfully request that this case shall be stayed for
11 a period of 90 days to allow USCIS to reopen and review Plaintiff’s administrative case.
12 The parties will file a joint status report with the Court no later than November 30, 2018,
13 indicating the status of the case and, if it has not been resolved, proposing the next steps
14 of the case, including a new deadline for Defendants to respond to the Complaint and a
15 briefing schedule.

16 DATED this 29th day of August, 2018.

17 Respectfully submitted,

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19 ANNETTE L. HAYES
United States Attorney

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21 */s/ Michelle R. Lambert*
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ORDER

The Parties having so stipulated and agreed, it is hereby **SO ORDERED**. The parties are released from the initial disclosure requirements of Rule 26(a)(1), as well as from the requirements of Rule 26(f). The case shall be held in abeyance and all deadlines shall be stayed for 90 days, including Defendants' deadline to respond to the Complaint. The parties shall submit a joint status report to the Court on or before November 30, 2018.

DATED this 31st day of August, 2018.



Marsha J. Pechman
United States District Judge